

## **DRAWING AMENDMENTS**

The attached drawing sheets include changes to Figure 1. The Replacement Sheet replaces the original sheet including Figure 1. Figure 1 in the Replacement Sheet shows a computer system according to an embodiment of the present invention. The changes include the addition of the battery 103, the AC adapter 105, and the docking station 107.

Attachments: Replacement Sheet

## REMARKS

Claims 19-21 and 24-33 are pending in the application. Claims 19 and 29 are independent. By the foregoing Amendment claims 31 and 33 have been amended and the Drawings have been amended. These changes are believed to introduce no new matter and their entry is respectfully requested.

### Objection to the Drawings

In the Office Action, the Examiner objected to the drawings for failure to show every feature of the invention specified in the claims. Specifically, the Examiner stated that the “the a primary voltage regulator to provide primary power to a load from at least one of a first power source or a second power source, a secondary voltage regulator to selectively provide additional power to the load from the second power source based at least in part on availability of the second power source, a processor module containing the primary voltage regulator and the load, and a motherboard to which the processor is coupled, said motherboard containing the secondary voltage regulator” (emphasis in original) must be shown in the figures or canceled from the claim.

By the foregoing Amendment, Applicants have added the battery 103, the AC adapter 105, and the docking station 107 to Figure 1 and have coupled them to the power supply and regulation circuitry. Support for these changes can be found in Applicants Specification. Accordingly, Applicants respectfully request that the Examiner reconsider and remove this objection to the Drawings.

Applicants respectfully submit further that the claims do not recite a processor module and a motherboard. Thus Applicants respectfully traverse this objection and respectfully request that the Examiner reconsider and remove this objection to the Drawings.

### Rejection of Claims 19-21, 24, 27, 29-31, and 33 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 19-21, 24, 27, 29-31, and 33 under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,268,716 to Burstein et al. (hereinafter “Burstein”) in view of U.S. Patent No. 5,598,089 to Shintomi (hereinafter

“Shintomi). To establish a *prima facie* case of obviousness, an Examiner must show that that there is some suggestion or motivation to modify a reference to arrive at the claimed invention, that there is some expectation of success, and that the cited reference teaches each and every element of the claimed invention. (MPEP §2143.) *citing In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)). Applicants respectfully traverse the rejection.

Claim 19 recites in pertinent part “a primary voltage regulator to provide primary power to a load from at least one of a first power source or a second power source, the primary voltage regulator having a feedback circuit to detect power supplied to the load and to control any additional voltage regulators; and a secondary voltage regulator to selectively provide additional power to the load from the second power source based at least in part on availability of the second power source.” Claim 29 recites in pertinent part “providing primary power with a primary voltage regulator to a load from at least one of a first power source or a second power source; and selectively providing additional power with a secondary voltage regulator to the load from the second power source based at least in part on availability of the second power source, the second voltage regulator controlled by a feedback circuit in the primary voltage regulator.”

In the Office Action, the Examiner concedes that Burstein fails to teach a first and a second power source and the second voltage regulator providing additional power based at least in part on the availability of the second power source but cites Shintomi for that proposition. Specifically, the Examiner states that Shintomi teaches “an apparatus (figure 1) comprising: a primary voltage regulator (7) to provide primary power (output of 7) to **a load (inherent)** from at least one of **a first power source (10)** or **a second power source (2)**; and a second voltage regulator (6) to selectively (based upon the presence of the source (2) provide additional power (output of 6) to the load from the second power source (2) based at least in part on the availability of the second power source (Column 3 line 35 to Column 4 line 14)” (emphasis added). Applicants respectfully disagree with the Examiner’s characterization of Shintomi.

Applicants respectfully submit that the Examiner has not properly established the inherency of the “load” in Shintomi. To establish inherency, an Examiner must provide rationale or evidence tending to show inherency. MPEP §2112 IV. If relying on extrinsic evidence, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. (MPEP §2112IV *citing In re Oelrich*, 666 F.2d 578, 581-582 (CCPA 1981)). If relying on rationale, an Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the prior art (emphasis in original). (MPEP §2112IV *citing Ex parte Levy*, 17 USPQ.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990)).

In the case at hand, the voltage regulator (7) provides power to the batteries (10). Thus, the batteries 10 are the load for the voltage regulator 7 and the load is not “inherent” as the Examiner asserts. Accordingly, Applicants respectfully submit that the Examiner has not met the burden of showing the inherency of a load in Shintomi.

Applicants respectfully submit further that if the batteries (10) are the load in Shintomi, then the batteries (10) cannot be the “first power source” as the Examiner asserts. This is because the batteries are not providing power to anything. This makes the AC adapter (2) is the sole power source in Shintomi. Thus, Shintomi fails to teach or fairly suggest a first power source and a second power source to provide power to a load as the Examiner asserts and as is recited in the claims. Because Shintomi fails to teach each and every element of the claims 19 and 29, Applicants respectfully submit that claims 19 and 29 are patentable over Shintomi. Claims 20-21, 24, 27, 30-31 and 33 properly depend from patentable claims, and as a result are patentable over Shintomi as well. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 19-21, 24, 27, 29-31, and 33.

#### Rejection of Claim 25 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 25 under 35 U.S.C. §103(a) as being obvious over Shintomi in view of Burstein in further view of U.S. Patent No.

6,078,109 to Yanagisawa et al. (hereinafter “Yanagisawa”) in view of U.S. Patent No. 5,598,089 to Shintomi (hereinafter “Shintomi”). Applicants respectfully traverse the rejection.

Claim 25 properly depends from claim 19, which Applicants respectfully submit is patentable. Accordingly, Applicant respectfully submits that claim 25 is patentable for at least the same reasons that claim 19 is patentable. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claim 25.

#### Rejection of Claim 26 and 33 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 26 and 33 under 35 U.S.C. §103(a) as being obvious over Shintomi in view of Burstein in view of Yanagisawa in further view of U.S. Patent No. 6,191,943 to Tracy (hereinafter “Tracy”). Applicants respectfully traverse the rejection.

Claims 26 and 30 properly depend from claims 19 and 29, respectively, which Applicants respectfully submit are patentable. Accordingly, Applicant respectfully submits that claims 26 and 30 are patentable for at least the same reasons that claims 19 and 29 are patentable. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claim claims 26 and 30.

#### Rejection of Claim 28 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 28 under 35 U.S.C. §103(a) as being obvious over Shintomi in view of Burstein in further view of U.S. Patent No. 5,630,148 to Norris (hereinafter “Norris”). Applicants respectfully traverse the rejection.

Claim 28 properly depends from claim 19, which Applicants respectfully submit is patentable. Accordingly, Applicant respectfully submits that claim 28 is patentable for at least the same reasons that claim 19 is patentable. (MPEP §2143.03 (citing *In re Fine*, 837

F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claim 28.

Rejection of Claims 19-21, 24, 27, 29-30, and 33 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 19-21, 24, 27, 29-30, and 33 under 35 U.S.C. §103(a) as being obvious over Shintomi in view of U.S. Patent No. 3,521,150 to Bates (hereinafter “Bates”). Applicants respectfully traverse the rejection.

In the Office Action, the Examiner again states that Shintomi teaches “an apparatus (figure 1) comprising: a primary voltage regulator (7) to provide primary power (output of 7) to *a load (inherent)* from at least one of *a first power source (10)* or *a second power source (2)*; and a second voltage regulator (6) to selectively (based upon the presence of the source (2) provide additional power (output of 6) to the load from the second power source (2) based at least in part on the availability of the second power source (Column 3 line 35 to Column 4 line 14)” (emphasis added). Applicants again respectfully disagree with the Examiner’s characterization of Shintomi.

As Applicants discussed above, the voltage regulator (7) provides power to the batteries (10). Thus, the batteries 10 are the load for the voltage regulator 7 and the load is not “inherent” as the Examiner asserts. Accordingly, Applicants respectfully submit that the Examiner has not met the burden of showing the inherency of a load in Shintomi.

Applicants respectfully submit further that if the batteries (10) are the load in Shintomi, then the batteries (10) cannot be the “first power source” as the Examiner asserts. This is because the batteries are not providing power to anything. This makes the AC adapter (2) is the sole power source in Shintomi. Thus, Shintomi fails to teach or fairly suggest a first power source and a second power source to provide power to a load as the Examiner asserts and as is recited in claims 19 and 29.

Because Shintomi fails to teach each and every element of the claims 19 and 29, Applicants respectfully submit that claims 19 and 29 are patentable over Shintomi.

Applicants respectfully submit that Bates fails to make up for this deficiency. For example, Bates fails to teach Claims 20-21, 24, 27, 30-30 and 33 properly depend from patentable claims, and as a result are patentable over Shintomi as well. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 19-21, 24, 27, 29-30, and 33.

Rejection of Claim 25 and 31 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 25 and 31 under 35 U.S.C. §103(a) as being obvious over Shintomi in view of Bates in further view of Yanagisawa. Applicants respectfully traverse the rejection.

Claims 25 and 31 properly depend from claims 19 and 29, respectively, which Applicants respectfully submit are patentable. Accordingly, Applicant respectfully submits that claims 25 and 31 are patentable for at least the same reasons that claims 19 and 29 are patentable. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claim claims 25 and 31.

Rejection of Claim 26 and 32 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 26 and 32 under 35 U.S.C. §103(a) as being obvious over Shintomi in view of Bates in view of Yanagisawa in further view of Tracy. Applicants respectfully traverse the rejection.

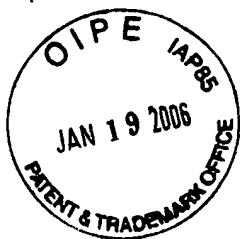
Claims 26 and 32 properly depend from claims 19 and 29, respectively, which Applicants respectfully submit are patentable. Accordingly, Applicant respectfully submits that claims 26 and 32 are patentable for at least the same reasons that claims 19 and 29 are patentable. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claim claims 26 and 32.

Rejection of Claim 28 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 28 under 35 U.S.C. §103(a) as being obvious over Shintomi in view of Bates in further view of Norris. Applicants respectfully traverse the rejection.

Claim 28 properly depends from claim 19, which Applicants respectfully submit is patentable. Accordingly, Applicant respectfully submits that claim 28 is patentable for at least the same reasons that claim 19 is patentable. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claim 28.





## CONCLUSION

Applicants submit that all grounds for objection and rejection have been properly traversed, accommodated, or rendered moot, and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: \_\_\_\_\_

1/17/2006

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